

FILE NO.: Z-8939-A

NAME: Newburn Revised Short-form PD-R

LOCATION: Located at 4124 Fairview Road

DEVELOPER:

John Newbern
4124 Fairview Road
Little Rock, AR 72205

SURVEYOR:

Brooks Surveying
20820 Arch Street Pike
Hensley, AR 72065

AREA: 0.15 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: PD-R

ALLOWED USES: Single-family and accessory dwelling

PROPOSED ZONING: Revised PD-R

PROPOSED USE: Single-family residential - Inconsistent with the Hillcrest DOD

VARIANCES/WAIVERS REQUESTED: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

Ordinance No. 20,890 adopted by the Little Rock Board of Directors on June 17, 2014, approved a rezoning from R-2, Single-family District to PD-R to allow the addition of an accessory dwelling within the rear yard area of the site. The property is located within the Hillcrests Design Overlay District. All other aspects of the approval were in compliance with the minimum DOD standards.

The applicant is now proposing to amend the previously approved PD-R to allow a front yard encroachment into the 15-foot front building setback established by the DOD. The renovation plans include upgrading the existing structure to bring the electrical and plumbing up to current code as well as aesthetic upgrades to

the exterior of the home. Renovations to the interior of the home include changing the existing attached garage into a master bedroom/bathroom converting the existing porch into living space and adding a new porch. Once the final design of the front porch was completed a triangular corner extends into the 15-foot front building setback. The area of encroachment appears to be less than 100 square feet. The proposed modifications to the existing home will increase the square footage from approximately 1,400 square feet to 2,535 square feet.

As indicated the proposal includes converting the existing garage into living space. The applicant desires to maintain covered parking and is proposing the placement of a detached garage on the property within the rear yard area adjacent to Wait Street. The garage will include a residence on the second level for an accessory dwelling. There are no changes to the proposed garage or accessory dwelling from the June 17, 2014, approval.

B. EXISTING CONDITIONS:

The home sits along the eastern end of Fairview Road overlooking Alsop Park. Fairview Road runs along two (2) of the properties boundaries and Wait Street, a very narrow street, is located along the third boundary. There is an adjacent single-family home to the north.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has not received any comment from area residents. All property owners located within 200-feet of the site along with the Hillcrest Residents Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

No comment.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this project.

Entergy: Electrical service to the house will likely need to be adjusted prior to the construction of the 2-car garage. An overhead service wire runs from a pole located in the alley on the west side (left, rear) of the house. To the back left side of the house. There also appears to be a telephone or CATV line on the same route. The service line should not be overhanging the proposed structure.

Center-Point Energy: Please be advised that Centerpoint Energy (CNP) owns and operates natural gas facilities within the Wait Street Right-Of-Way (ROW) to the west of this Planned Residential Development. The proposed garage construction could be in close vicinity to existing CNP facilities. Therefore we request that this ROW remain undisturbed and that Arkansas One Call be notified before the commencement of any construction activities. If there are any questions or concerns please do not hesitate to contact CNP.

Center-Point Energy: No comment received.

AT & T: No comment received.

Fire Department: Fire hydrants per code, maintain access. Contact the Little Rock Fire Department for additional information.

County Planning: No comment.

CATA: This location is currently not served by CATA, but it is near Route #1 – Pulaski Heights. Service to this location is not on CATA's long range plan and CATA does not have a comment of this application.

Parks and Recreation: No comment received.

F. ISSUES/TECHNICAL/DESIGN:

Building Code: No comment.

Planning Division: This request is located in the Heights/Hillcrest Planning District. The Land Use Plan shows Residential Low Density (RL) for this property. Residential Low Density allows for single family homes at densities not to exceed 6-dwelling units per acre. Such residential development is typically characterized by conventional single family homes, but may also include patio or garden homes and cluster homes, provided that the density remain less than 6-units per acre. The applicant has applied for a revision to an existing PDR (Planned District Residential) zoning to modify the front porch building setback. The site is within the Hillcrest Design Overlay District.

Master Street Plan: Fairview Road is a Local Street on the Master Street Plan. The primary function of a Local Street is to provide access to adjacent properties. This street may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: There are no bike routes shown in the immediate vicinity.

Landscape: No comment.

G. SUBDIVISION COMMITTEE COMMENT:

(October 8, 2014)

The applicant was not present. Staff presented the item stating there were no outstanding technical issues in need of addressing related to the proposed site plan. Staff stated the Commission had reviewed the request earlier in the year to allow an accessory dwelling on the site and at the time of review there were no encroachments into the front building setback. Staff stated as the renovation plans were being finalized the front porch was now encroaching into the front setback on one corner. There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action

H. ANALYSIS:

There were no outstanding technical issues related to the site plan in need of addressing raised at the October 8, 2014, Subdivision Committee meeting. Staff had a few questions related to the particulars of the Hillcrest DOD which the applicant has addressed.

The applicant has indicated the total square footage of the home will be 2,535 square feet which includes the screen porch area. The total square footage of the garage, including the accessory dwelling, contains 1,482 square feet. The lot contains 12,696 square feet. The floor area ratio (FAR) for this development is 0.316. Per the DOD residential structures containing one floor the FAR is limited to 0.37 and for residential structures containing two floors, the FAR is limited to 0.50.

The maximum building height proposed for the house is 20-feet and the garage is 22-feet. The DOD states the height is measured from the grade plane to the ridge line of the highest roof surface with a maximum height of 39-feet.

The front yard setback per the DOD is to be 15-feet in all instances. The DOD states front yard setbacks for structure on interior lots shall align with the average of the current setbacks of the adjoining residential structures within a ten percent variances, but no structure may be within the minimum 15-feet front setback. When determining front or side yard setbacks on structures that are oriented differently than all other structures on the block face, the front yard setback is to be 15-feet and the side yard setback is to be ten percent of the lot width not to exceed 8-feet.

Once the final design of the home was completed a triangular corner of the unenclosed front porch extends into the 15-foot front building setback. The area of encroachment appears to be less than 100 square feet.

There are no other changes proposed from the previous approval. Staff is supportive of the request. Staff does not feel the allowance of the small encroachment within the front yard area will adversely impact the adjacent

properties. The home is turned at an angle which does not directly align with the home located to the west and there are streets on the two (2) remaining sides.

The request continues to include the allowance of an accessory dwelling over the proposed new garage structure. Staff continues to support the allowance of the accessory dwelling above the proposed garage. Staff feels as long as the homeowner occupies one of the units there will be little to no adverse impact on the adjacent property.

I. STAFF RECOMMENDATION:

Staff recommends approval of the request subject to compliance with the following conditions:

1. Compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.
2. One of the dwellings must be occupied by the property owner, as is typically required in single-family.

PLANNING COMMISSION ACTION:

(OCTOBER 30, 2014)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request subject to compliance with the following conditions:

1. Compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.
2. One of the dwellings must be occupied by the property owner, as is typically required in single-family.

There was no further discussion of the item. The Chair entertained a motion for approval of the item, as presented by staff. The motion carried by a vote of 11 ayes 0 noes and 0 absent.